

AMENDMENTS TO THE DRAWINGS:

Three replacement sheets of drawings are attached to this paper and include changes to Figs. 1-6. These changes are discussed below in the Remarks under "Objections to the Drawings."

The replacement sheet containing Fig. 1 replaces the original sheet containing Fig. 1 filed with the application on August 25, 2003.

The replacement sheet containing Figs. 2-4 replaces the original sheet containing Figs. 2-4 filed with the application on August 25, 2003.

The replacement sheet containing Figs. 5-6 replaces the original sheet containing Figs. 5-6 filed with the application on August 25, 2003.

REMARKS

In accordance with the foregoing, the specification, Figs. 1-6, and claim 4 have been amended. Claims 1-21 are pending and under consideration, with claims 1 and 21 being independent. No new matter is presented in this amendment.

The specification has been amended to overcome the objection to the drawings as discussed below and to correct a typographical error by changing "show" to "shown" in paragraph [0016].

The drawings have been amended to overcome the objection to the drawings as discussed below.

Claim 4 has been amended solely to move the word "wherein" from the end of the penultimate paragraph to the beginning of the last paragraph.

ERROR ON FORM PTO-892

In the Office Action of August 9, 2005, the Examiner has relied on U.S. Patent Publication No. 2002/0146533 to Chung et al., but did not list this reference on the form PTO-892 attached to the Office Action. Accordingly, it is respectfully requested that the Examiner list this reference on a form PTO-892 in the next Office Action.

OBJECTIONS TO THE DRAWINGS

The drawings were objected to under 37 CFR 1.83(a) because they do not show the polarization plate recited in claim 20 (not claim 19 as indicated by the Examiner) and referred to in paragraph [0020] of the specification. Accordingly, Figs. 1-6 have been amended to show a polarization plate 60 based on paragraph [0020] of the specification, and paragraph [0020] of the specification has been amended to be consistent with the changes made to Figs. 1-6.

The drawings were objected to under 37 CFR 1.83(a) because the Examiner is of the opinion that Fig. 4 does not show the anti-projection unit. However, it is submitted that Fig. 4 does in fact show the anti-projection unit because encapsulator 43 may be made of a black synthetic resin wrapping the organic electroluminescent unit 30 as recited in claim 15.

Accordingly, paragraph [0016] of the specification has been amended to incorporate this feature recited in claim 15 to make it clear that Fig. 4 does in fact show the anti-projection unit.

For the reasons discussed above, it is submitted that the deficiencies identified by the Examiner in the objections to the drawings under 37 CFR 1.83(a) have been eliminated, and accordingly it is respectfully requested that the objections to the drawings under 37 CFR 1.83(a) be withdrawn.

CLAIM FOR PRIORITY

In section 3 on page 4 of the Office Action of August 9, 2005, the Examiner states that the applicant cannot claim the priority of Korean Application No. 2002-50129 filed on August 23, 2002, because the present application was filed more than twelve months later, i.e., on August 25, 2003. However, August 23, 2003, was a Saturday and August 24, 2003, was a Sunday, so the actual deadline for filing the present application to claim the priority of the Korean application was the next succeeding business day of Monday, August 25, 2003, the day the present application was filed, pursuant to MPEP 201.13(D) (Eighth Edition, Revision 2, May 2004, page 200-72), 37 CFR 1.7(a), and 35 USC 21(b). Accordingly, it is submitted that the applicant can in fact claim the priority of Korean Application No. 2002-50129 filed on August 23, 2002, and it is respectfully requested that the Examiner acknowledge this fact.

CLAIM REJECTIONS UNDER 35 USC 102

Claims 1 and 21 and Haskal

Claims 1 and 21 were rejected under 35 USC 102(b) as being anticipated by Haskal et al. (Haskal) (U.S. Patent No. 5,952,778). This rejection is respectfully traversed.

The Examiner considers metal layer 30 in Fig. 2 of Haskal to be "an anti-projection unit, which is installed on at least one of the substrate, the organic electroluminescent unit, and the sealing unit, preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in independent claim 1, and "an anti-projection unit preventing an image of an interior structure of the organic electroluminescent

display from being projected on the substrate" as recited in independent claim 21, stating as follows:

Since structure of the anti-projection unit of Haskal et al's device is the same as that of applicant's claimed device, the anti-projection structure of Haskal et al's device would prevent an image of an interior structure of the organic electroluminescent display from being projected on the substrate.

However, it is submitted that the structure of Haskal's metal layer 30 is not in fact the same as the structure of the anti-projection unit recited in claims 1 and 21 because Haskal's metal layer 30 is formed as strips on cathode electrodes 24, and the gaps between the strips of metal layer 30 would allow an image of the interior structure of Haskal's organic electroluminescent display to be projected on substrate 26 through the gaps. According to column 3, lines 23-40, of Haskal, metal layer 30 is made of a relatively stable metal such as gold, silver, aluminum, or indium, and acts to passivate cathode electrodes 24 which are made of a reactive metal or alloy such as calcium, magnesium/silver, lithium/aluminum, or magnesium/aluminum. Haskal says nothing whatsoever about metal layer 30 acting as "an anti-projection unit" as recited in claims 1 and 21.

The Examiner also takes an alternative position with respect to the limitation "preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" recited in claims 1 and 21 as part of the "anti-projection unit," stating as follows:

Alternatively, the limitation "preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" is a functional limitation, which is narrative in form, and it does not carry any patentable weight. In order to be given patentable weight, the functional recitation must be expressed as a "means" for performing the specified function, as set forth in 35 U.S.C. 6th paragraph, and must be supported by recitation in the claim of sufficient structure to warrant the presence of the functional language. In re fuller [sic], 1929 C.D. 172: 388 O.G. 279.

However, the Examiner's attention is directed to MPEP 2173.05(g) (Eighth Edition, Revision 2, May 2004, page 2100-213) which provides as follows in pertinent part:

A functional limitation is an attempt to define something by what it does, rather than by what it is (e.g., as evidenced by its

specific structure or specific ingredients). There is nothing inherently wrong with defining some part of an invention in functional terms. Functional language does not, in and of itself, render a claim improper. *In re Swinehart*, 439 F.2d 210, 169 USPQ 226 (CCPA 1971).

A functional limitation must be evaluated and considered, just like any other limitation of the claim, for what it fairly conveys to a person of ordinary skill in the pertinent art in the context in which it is used. A functional limitation is often used in association with an element, ingredient, or step of a process to define a particular capability or purpose that is served by the recited element, ingredient or step.

It is submitted that this section of the MPEP clearly requires that every limitation of a claim be evaluated and considered, i.e., that every limitation of a claim be given patentable weight. Accordingly, it is submitted that the Examiner is required to evaluate and consider every limitation of claims 1 and 21 and give them patentable weight.

For at least the reasons discussed above, it is submitted that Haskal does not disclose "an anti-projection unit, which is installed on at least one of the substrate, the organic electroluminescent unit, and the sealing unit, preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in claim 1, or "an anti-projection unit preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in claim 21. Accordingly, it is submitted that claims 1 and 21 patentably distinguish over Haskal in the sense of 35 USC 102(b), and it is respectfully requested that the rejection of claims 1 and 21 under 35 USC 102(b) as being anticipated by Haskal be withdrawn.

Claims 1, 5, 7, 16, 19, and 21 and Nilsson

Claims 1, 5, 7, 16, 19, and 21 were rejected under 35 USC 102(b) as being anticipated by Nilsson et al. (Nilsson) (U.S. Patent No. 6,635,989). This rejection is respectfully traversed.

At the outset, it is submitted that this rejection is improper because Nilsson issued on October 21, 2003, which is after the filing date of August 25, 2003, of the present application, whereas 35 USC 102(b) applies to patents which issued more than one year prior to the filing

date of a patent application. Accordingly, it will be presumed that the Examiner intended to make this rejection under 35 USC 102(e).

In explaining the rejection, the Examiner states that Nilsson discloses in Figs. 2, 3, 5, etc. "an anti-projection unit (30), which is installed on the organic electroluminescent unit." However, earlier in the explanation of the rejection, the Examiner states that Nilsson discloses in Figs. 2, 3, 5, etc. "an organic electroluminescent unit including: a first electrode unit (30, 50, 94) unit formed on the substrate in a first predetermined pattern. In Figs. 2, 3, and 5 of Nilsson, elements 30, 50, and 94 are labeled "ANODE," and thus appear to be "a first electrode unit" as indicated by the Examiner, rather than "an anti-projection unit." In explaining the rejection of claim 5 which recites, *inter alia*, that "the anti-projection unit comprises an opaque insulation layer formed among the first electrode lines of the first electrode unit," the Examiner states that "[o]paqueness is an intrinsic property of the ceramic." In light of this, it appears that the Examiner actually intended to indicate that ceramic thin film 24, 44, and 88 in Figs. 2, 3, and 5 are "an anti-projection unit, which is installed on at least one of the substrate, the organic electroluminescent unit, and the sealing unit, preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in independent claim 1, and "an anti-projection unit preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in independent claim 21. Should the Examiner repeat this rejection, it is respectfully requested that the Examiner confirm whether this is what the Examiner intended to indicate.

Nilsson's ceramic thin films 24, 44, and 88 are described as follows in column 6, line 62, through column 7, line 10, of Nilsson:

In accord with this invention a ceramic thin film is used to prevent ambient moisture and oxygen from coming into contact with the electrodes and the polymeric layer(s) of the device which components are electrically and chemically active. The inorganic refractory material is made up of one or more oxides and/or nitrides. These materials can be typically selected from full and partial oxides and nitrides of the group IIIb and IVb elements. These include the oxides and nitrides of boron, aluminum, silicon, gallium, germanium, indium, tin, tantalum and lead. Silicon, aluminum, indium and tin are the preferred metals for forming refractory oxides and nitrides, with silicon and aluminum and especially silicon being most preferred.

The inorganic refractory layer(s) should be from about 0.025 μm to several (10) microns in thickness with a thicknesses of from 0.05 to 5 microns a being preferred.

As can be seen from this portion of Nilsson, the purpose of Nilsson's ceramic thin films 24, 44, and 88 is to prevent ambient moisture and oxygen from coming into contact with the electrodes and the polymeric layer(s) of Nilsson's device which are electrically and chemically active. Neither this portion of Nilsson nor any other portion of Nilsson indicates that ceramic thin films 24, 44, and 88 also act as "an anti-projection unit" as recited in claims 1 and 21. However, the Examiner apparently contends that they do, stating as follows:

Since structure of the anti-projection unit of Nilsson et al's device is the same as that of applicant's claimed device, the anti-projection structure of Nilsson et al's device would prevent an image of an interior structure of the organic electroluminescent display from being projected on the substrate.

It appears that the Examiner's position is based entirely on the Examiner's apparent understanding that ceramic thin films 24, 44, and 88 are intrinsically opaque. However, the word "opaque" does not appear in Nilsson. Furthermore, it is submitted that ceramic thin films 24, 44, and 88 are not intrinsically opaque as apparently understood by the Examiner because transparent ceramic films are known in the art as evidenced by the attached copy of U.S. Patent No. 6,781,148 which discloses organic and inorganic electroluminescent devices and states in column 25, lines 25-27, that "[a] transparent ceramic layer containing SiO_2 , BaO , B_2O_3 , Al_2O_3 , CaO or the like may also be used as the insulating layer in order to provide light transmittance" (emphasis added).

In light of this, it is submitted that nothing whatsoever in Nilsson indicates that ceramic thin films 24, 44, and 88 act as "an anti-projection unit, which is installed on at least one of the substrate, the organic electroluminescent unit, and the sealing unit, preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in claim 1, or "an anti-projection unit preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in claim 21.

The Examiner also takes an alternative position with respect to the limitation "preventing an image of an interior structure of the organic electroluminescent display from being projected

on the substrate" recited in claims 1 and 21 as part of the "anti-projection unit," stating as follows:

Alternatively, the limitation "preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" is not carry any patentable weight for the reasons set forth earlier in this office action.

However, as discussed above in connection with the rejection of claims 1 and 21 under 35 USC 102(b) as being anticipated by Haskal, it is submitted that MPEP 2173.05(g) clearly requires that every limitation of a claim be evaluated and considered, i.e., that every limitation of a claim be given patentable weight. Accordingly, it is submitted that the Examiner is required to evaluate and consider every limitation of claims 1 and 21 and give them patentable weight.

Accordingly, for at least the reasons discussed above, it is submitted that Nilsson does not disclose "an anti-projection unit, which is installed on at least one of the substrate, the organic electroluminescent unit, and the sealing unit, preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in claim 1, or "an anti-projection unit preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in claim 21.

Claim 5 depending from claim 1 recites that "the first electrode unit comprises a plurality of first electrode lines, and the anti-projection unit comprises an opaque insulation layer formed among the first electrode lines of the first electrode unit." The Examiner considers these features of claim 5 to be disclosed by Nilsson, stating as follows:

As to claim 5, Nilsson et al disclose the first electrode including a plurality of first electrode lines. Opaqueness is an intrinsic property of the ceramic. Nilsson et al disclose the ceramic material is formed among the first electrode lines.

However, as discussed above, it is submitted that Nilsson's ceramic thin films 24, 44, and 88 are not intrinsically opaque as apparently understood by the Examiner. Furthermore, as can be seen from Figs. 2, 3, and 5 of Nilsson, ceramic thin films 24, 44, and 88 are formed among electrode lines of cathode metal layers 26, 46, and 90 which the Examiner considers to be "a second electrode unit" as recited in claim 1 from which claim 5 depends, rather than among electrode lines of anode layers 30, 50, and 94 which the Examiner considers to be "a first electrode unit" as recited in claim 1 from which claim 5 depends.

Accordingly, for at least the reasons discussed above, it is submitted that Nilsson does not disclose the feature of claim 5 wherein "the anti-projection unit comprises an opaque insulation layer formed among the first electrode lines of the first electrode unit."

Claim 7 depends from claim 1 and recites that "the anti-projection unit comprises an opaque insulation layer formed in a nonluminescent area of the organic electroluminescent unit." The Examiner considers this feature to be disclosed by Nilsson, stating as follows:

As to claim 7, Nilsson et al disclose the anti-projection unit including an opaque insulation layer formed in a non-luminescent area of the organic electroluminescent unit.

However, the word "opaque" does not appear in Nilsson, and, as discussed above, it is submitted that Nilsson's ceramic thin films 24, 44, and 88 are not intrinsically opaque as apparently understood by the Examiner.

Accordingly, for at least the reasons discussed above, it is submitted that Nilsson does not disclose the feature of claim 7 wherein "the anti-projection unit comprises an opaque insulation layer formed in a nonluminescent area of the organic electroluminescent unit."

Claim 19 depending from claim 1 recites that "the anti-projection unit is made of an opaque material." The Examiner considers this feature to be disclosed by Nilsson, stating as follows:

As to claim 19, opaqueness is an intrinsic property of the ceramic material.

However, as discussed above, it is submitted that Nilsson's ceramic thin films 24, 44, and 88 are not intrinsically opaque as apparently understood by the Examiner.

Accordingly, for at least the reasons discussed above, it is submitted that Nilsson does not disclose the feature of claim 19 wherein "the anti-projection unit is made of an opaque material."

Since Nilsson does not disclose the features of claims 1, 5, 7, 19, and 21 discussed above, it is submitted that claims 1, 5, 7, 19, and 21 patentably distinguish over Nilsson in the sense of 35 USC 102(b) and 102(e), and it is respectfully requested that the rejection of claims 1, 5, 7, 19, and 21 under 35 USC 102(b) (presumably intended to be 102(e)) as being anticipated by Nilsson be withdrawn.

With respect to claim 16, notwithstanding the position taken by the Examiner, it is noted that claim 16 depends from claim 1, and thus recites all of the features recited in claim 1 together with further features of the present invention. For at least the reasons discussed above in connection with claim 1, it is submitted that Nilsson does not disclose the features of claim 1 which are discussed above and are recited in claim 16 by virtue of its dependency from claim 1.

Accordingly, it is submitted that claim 16 patentably distinguishes over Nilsson in the sense of 35 USC 102(b) and 102(e), and it is respectfully requested that the rejection of claim 16 under 35 USC 102(b) (presumably intended to be 102(e)) as being anticipated by Nilsson be withdrawn.

Claims 1, 7, 9, and 21 and Chung

Claims 1, 7, 9, and 21 were rejected under 35 USC 102(e) as being anticipated by Chung et al. (Chung) (U.S. Patent Application Publication No. 2002/0146533). This rejection is respectfully traversed.

The Examiner considers element 28 in Fig. 1 of Chung and element 56 in Fig. 3 of Chung to be "an anti-projection unit, which is installed on at least one of the substrate, the organic electroluminescent unit, and the sealing unit, preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in independent claim 1, and "an anti-projection unit preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in independent claim 21, stating as follows:

Since structure of the anti-projection unit of Nilsson et al's device is the same as that of applicant's claimed device, the anti-projection structure of Nilsson et al's device would prevent an image of an interior structure of the organic electroluminescent display from being projected on the substrate.

However, as described in paragraph [0006] of Chung, element 28 in Fig. 1 of Chung is a drying substance that comprises a solid compound, such as BaO, CaO, CaSO₄, and CaCl₂, which chemically absorbs moisture and maintains its solid state. Also, as described in paragraphs [0030]-[0031] of Chung, element 56 in Fig. 3 of Chung is a semi-permeable film that has moisture permeability, but not water permeability. It is submitted that nothing whatsoever in

Chung indicates that drying substance 28 and semi-permeable film 56 have the capability of acting as "an anti-projection unit preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in claims 1 and 21.

The Examiner also takes an alternative position with respect to the limitation "preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" recited in claims 1 and 21 as part of the "anti-projection unit," stating as follows:

Alternatively, the limitation "preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" is not carry any patentable weight for the reasons set forth earlier in this office action.

However, as discussed above in connection with the rejection of claims 1 and 21 under 35 USC 102(b) as being anticipated by Haskal, it is submitted that MPEP 2173.05(g) clearly requires that every limitation of a claim be evaluated and considered, i.e., that every limitation of a claim be given patentable weight. Accordingly, it is submitted that the Examiner is required to evaluate and consider every limitation of claims 1 and 21 and give them patentable weight.

Accordingly, for at least the reasons discussed above, it is submitted that Chung does not disclose "an anti-projection unit, which is installed on at least one of the substrate, the organic electroluminescent unit, and the sealing unit, preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in claim 1, or "an anti-projection unit preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in claim 21.

Claim 7 depends from claim 1 and recites that "the anti-projection unit comprises an opaque insulation layer formed in a nonluminescent area of the organic electroluminescent unit." The Examiner considers this feature to be disclosed by Chung, stating as follows:

As to claim 7, Chung et al disclose the anti-projection unit including an opaque insulation layer (in the form of a drying layer element 28 or 56) formed on a non-luminescent area of the organic electroluminescent unit. Note that the term ". . . .formed on the non-luminescent are. . . ." is a relative term. Relative to the upside down position of the device, the opaque insulation layer of Chung et al's device is formed on the non-luminescent area.

However, the word "opaque" does not appear in Chung, and, as discussed above, element 28 is a drying substance and element 56 is a semi-permeable membrane. It is submitted that nothing whatsoever in Chung indicates that drying substance 28 and semi-permeable membrane 56 are "an opaque insulation layer" as recited in claim 7, or have the capability of acting as "an anti-projection unit preventing an image of an interior structure of the organic electroluminescent display from being projected on the substrate" as recited in claim 1 from which claim 7 depends.

Accordingly, for at least the reasons discussed above, it is submitted that Chung does not disclose the feature of claim 7 wherein "the anti-projection unit comprises an opaque insulation layer formed in a nonluminescent area of the organic electroluminescent unit."

Since Chung does not disclose the features of claims 1, 7, and 21 discussed above, it is submitted that claims 1, 7, and 21 patentably distinguish over Chung in the sense of 35 USC 102(e), and it is respectfully requested that the rejection of claims 1, 7, and 21 under 35 USC 102(e) as being anticipated by Chung be withdrawn.

With respect to claim 9, notwithstanding the position taken by the Examiner, it is noted that claim 9 depends from claim 1, and thus recites all of the features recited in claim 1 together with further features of the present invention. For at least the reasons discussed above in connection with claim 1, it is submitted that Chung does not disclose the features of claim 1 which are discussed above and are recited in claim 9 by virtue of its dependency from claim 1.

Accordingly, it is submitted that claim 9 patentably distinguishes over Chung in the sense of 35 USC 102(e), and it is respectfully requested that the rejection of claim 9 under 35 USC 102(e) as being anticipated by Chung be withdrawn.

CLAIM REJECTIONS UNDER 35 USC 103

Claims 6, 8, 15, and 20 and Nilsson

Claims 6, 8, 15, and 20 were rejected under 35 USC 103(a) as being unpatentable over Nilsson as applied to claim 1. This rejection is respectfully traversed.

The Examiner considers the feature of claims 6 and 8 "wherein the [opaque] insulation layer is black" to be obvious over Nilsson, stating as follows:

As to claims 6 and 8, Nilsson do not disclose the ceramic insulation layer being black, as claimed by applicant. However, providing the opaque ceramic material in any suitable color -black being one of the suitable colors- would have been obvious to one of ordinary skill in the art for improving contrast and anti-projection property of the display.

The Examiner's attention is directed to MPEP 2143 (Eighth Edition, Revision 2, May 2004, page 2100-129) which read as follows (emphasis by underlining added):

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. (Citation omitted.)

As discussed above in connection with claims 1 and 21, the word "opaque" does not appear in Nilsson, Nilsson's ceramic thin films 24, 44, and 88 are not intrinsically opaque as apparently understood by the Examiner, and their purpose is to prevent ambient moisture and oxygen from coming into contact with the electrodes and the polymeric layer(s) of Nilsson's device which are electrically and chemically active. It is not seen where anything whatsoever in Nilsson suggests that it is desirable to make ceramic thin films 24, 44, and 88 black, or to improve contrast and anti-projection properties of Nilsson's display. Rather, it is submitted that the only suggestion that this be done is contained in the applicant's disclosure which the Examiner is prohibited from relying on by MPEP 2143. In light of this, it is submitted that it would not have been obvious to one of ordinary skill in the art to make Nilsson's ceramic thin films 24, 44, and 88 black to improve contrast and anti-projection properties of Nilsson's display as proposed by the Examiner.

For at least the reasons discussed above, it is submitted that the Examiner has not established a *prima facie* case of obviousness under 35 USC 103(a) with respect to claims 6 and 8, and accordingly it is submitted that Nilsson does not disclose or suggest the feature of claims 6 and 8 "wherein the [opaque] insulation layer is black."

The Examiner considers the feature of claim 15 "wherein the sealing unit is made of a black synthetic resin wrapping the organic electroluminescent unit" to be obvious over Nilsson, stating as follows:

As to claim 15, Nilsson et al disclose the sealing unit 20 wrapping the organic EL unit. However, Nilsson et al do not disclose the sealing unit 20 made of black synthetic resin, as claimed by applicant. However, providing the resin of any suitable dark color would have been obvious to one of ordinary skill in the art since it helps improving contrast and anti-projection property of the display.

Fig. 3 of Nilsson shows an epoxy seal 20 which is a layer of epoxy which is applied over ceramic thin film 24 to reduce the requirements on ceramic thin film 24 by providing an additional barrier against moisture and oxygen as described in column 7, line 65, through column 8, line 8, of Nilsson. It is not seen where anything whatsoever in Nilsson suggests that it is desirable to make epoxy seal 20 black, or to improve contrast and anti-projection properties of Nilsson's display. Rather, it is submitted that the only suggestion that this be done is contained in the applicant's disclosure which the Examiner is prohibited from relying on by MPEP 2143. In light of this, it is submitted that it would not have been obvious to one of ordinary skill in the art to make Nilsson's epoxy seal 20 black to improve contrast and anti-projection properties of Nilsson's display as proposed by the Examiner.

For at least the reasons discussed above, it is submitted that the Examiner has not established a *prima facie* case of obviousness under 35 USC 103(a) with respect to claim 15, and accordingly it is submitted that Nilsson does not disclose or suggest the feature of claim 15 "wherein the sealing unit is made of a black synthetic resin wrapping the organic electroluminescent unit."

The Examiner is of the opinion that it would have been obvious to provide Nilsson's display with "a polarization plate attached to a top surface of the substrate" as recited in claim 20, stating as follows:

As to claim 20, applicant is claiming the device including a polarization layer on top surface of the substrate. However, However, [sic] it is noted that applicant's claimed polarization layer is not shown to solve any particular problem or yield any unexpected results that is not within the scope of any prior art device. Accordingly, the inclusion of claimed polarization layer is considered to be an obvious matter of design choice.

However, pursuant to MPEP 2143, it is submitted that the test of whether a particular feature would have been obvious is not whether the feature is shown to solve any particular problem or yield any unexpected results that are not within the scope of any prior art device, but whether there is some suggestion in the prior art to modify a prior art device to include the feature. Here, it is not seen where anything whatsoever in Nilsson suggests that it would be desirable to modify Nilsson's display to include a polarization plate attached to a top surface of substrate 34, 52, or 96 in Fig. 2, 3, or 5 of Nilsson. Rather, it is submitted that the only suggestion that this be done is contained in the applicant's disclosure which the Examiner is prohibited from relying on by MPEP 2143. In light of this, it is submitted that it would not have been obvious to one of ordinary skill in the art to modify Nilsson's display to include a polarization plate attached to a top surface of substrate 34, 52, or 96 in Fig. 2, 3, or 5 of Nilsson.

For at least the reasons discussed above, it is submitted that the Examiner has not established a *prima facie* case of obviousness under 35 USC 103(a) with respect to claim 20, and accordingly it is submitted that Nilsson does not disclose or suggest "a polarization plate attached to a top surface of the substrate" as recited in claim 20.

Since Nilsson does not disclose or suggest the features of claims 6, 8, 15, and 20 discussed above, it is submitted that claims 6, 8, 15, and 20 patentably distinguish over Nilsson in the sense of 35 USC 103(a), and it is respectfully requested that the rejection of claims 6, 8, 15, and 20 under 35 USC 103(a) as being unpatentable over Nilsson be withdrawn.

Claims 10-11 and Chung and King

Claims 10-11 were rejected under 35 USC 103(a) as being unpatentable over Chung as applied to claim 1 in view of King et al. (King) (U.S. Patent No. 4,963,788). This rejection is respectfully traversed.

Notwithstanding the position taken by the Examiner, it is noted that claims 10-11 depend from claim 1, and thus recite all of the features recited in claim 1 together with further features of the present invention. For at least the reasons discussed above in connection with claim 1, it is submitted that Chung does not disclose the features of claim 1 which are discussed above and are recited in claims 10-11 by virtue of their dependency from claim 1. Nor is it seen where these features of claim 1 are suggested by Chung, or are disclosed or suggested by King.

Accordingly, it is submitted that claims 10-11 patentably distinguish over Chung and King in the sense of 35 USC 103(a), and it is respectfully requested that the rejection of claims 10-11 under 35 USC 103(a) as being unpatentable over Chung as applied to claim 1 in view of King be withdrawn.

Claims 12-13 and Chung

Claims 12 and 13 were rejected under 35 USC 103(a) as being unpatentable over Chung as applied to claim 1. This rejection is respectfully traversed.

Notwithstanding the position taken by the Examiner, it is noted that claims 12-13 depend from claim 9 which depends from claim 1, and thus recite all of the features recited in claims 1 and 9 together with further features of the present invention. For at least the reasons discussed above in connection with claims 1 and 9, it is submitted that Chung does not disclose the features of claims 1 and 9 which are discussed above and are recited in claims 12-13 by virtue of their dependency from claims 1 and 9. Nor is it seen where these features of claims 1 and 9 are suggested by Chung.

Accordingly, it is submitted that claims 12-13 patentably distinguish over Chung in the sense of 35 USC 103(a), and it is respectfully requested that the rejection of claims 12-13 under 35 USC 103(a) as being unpatentable over Chung as applied to claim 1 be withdrawn.

ALLOWABLE CLAIMS

Claims 2-4, 14, and 17-18 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, claims 2-4, 14, and 17-18 have not been rewritten in independent form as suggested by the Examiner at this time because, as discussed above, claims 1 and 9 from which various ones of claims 2-4, 14, and 17-18 depend are also considered to be allowable over the prior art.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this paper, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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Date: 11/08/05

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Attachments